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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/316,199	05/21/1999	Michael J McCluskie	C1040/7006HC	7506

7590 02/01/2011
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EXAMINER

POPA, ILEANA

ART UNIT	PAPER NUMBER
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1633

MAIL DATE	DELIVERY MODE
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02/01/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

1. In the reply filed on 11/23/2010, the applicant amended the claim listing by cancelling claims 1-146 and introducing new claims 147-166.

The amendment filed on 11/23/2010 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The new claims are not readable on the elected invention because they are drawn to methods which are independent and distinct from the elected method. The elected invention is drawn to a specific immunization protocol, i.e., mucosal administration of an antigen and a CpG, followed by boosting with the CpG via any route. The new claims introduce new independent and distinct immunization protocols, specifically: (i) mucosal administration of an antigen and a CpG, followed by systemic boosting with the antigen; and (ii) systemic administration of an antigen, followed by mucosal boosting with the antigen and a CpG.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ILEANA POPA whose telephone number is (571)272-5546. The examiner can normally be reached on 9:00 am-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached on 571-272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ileana Popa/
Primary Examiner, Art Unit 1633